

an instantiated mobile agent resident on the first network node and transferable from the first network node to the second network node, the instantiated mobile agent comprising application layer gateway functionality to provide a service to at least one client coupled to the second network node.

24. (New) The system of claim 23, wherein the second proactive environment is configured to determine whether the instantiated mobile agent has permission to execute in the second proactive environment.

25. (New) The system of claim 24, wherein the instantiated mobile agent includes an access control list that determines which services of the second proactive environment the instantiated mobile agent may access.

Remarks

Claims 1-9 and 11-22 are pending in the application, and stand rejected. Favorable reconsideration is respectfully requested in view of the following remarks.

The undersigned wishes to thank Examiners Burgess and Mehy for the courtesy of a personal interview. It is noted for the record that it was agreed during the interview that the art cited in the final Office Action does not support the asserted claim rejections.

Claims 1, 4-5, 7, 9, 13, 15, 17, 21 and 22 were rejected under 35 USC 103(a) as being unpatentable over Huff et al. (Huff) (US 6,408, 391) in view of Li et al. (Li) (US 6,119,165) and Turunen (US 6,484,211). To establish a prima facie case of obviousness under § 103, all claim limitations of a claimed invention must be taught or suggested by the prior art. See MPEP, § 2143.03 and *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). In view of the foregoing authority, the cited references fail to support the asserted rejection for at least the

reason that none of cited references teaches or suggests re-routing traffic to a mobile agent as called for in the claims. More specifically, independent claims 1 and 21 recite moving an agent from a first device to a target device, re-routing relevant traffic to the target device, and performing application layer gateway functionality by the agent at the target device. Independent claim 9 recites, among other things, a mobile agent residing on a node of the network, where the mobile agent is able to function as an application layer gateway, and a route device residing on one node of the network, the route device configured to divert to the mobile agent traffic relevant to the mobile agent. Finally, independent claim 17 recites moving an agent from a first device to a target device, re-routing a relevant data stream from a source to the target device, and at the target device, the agent accepting the data stream from the source, performing a function on the data stream, and passing the data stream to one of a set of client devices.

The final Office Action acknowledges that Huff and Li are silent as to the claimed features. Moreover, Turunen, cited as meeting the claim limitations of "re-routing relevant traffic", etc., and "a route device configured to divert", etc., does not remedy the deficiencies in Huff and Li. The passages cited in Turunen are merely describing forwarding data to a "mobile host" of a network when the mobile host "roams," i.e., leaves a home network and is registered with a "foreign" network. There is absolutely nothing in Turunen relating to re-routing traffic to a mobile agent as required by the present claims. In particular, for example, the "mobile host" referred to in Turunen is an end user or client of a network, not an agent performing functionality as called for in the claims. See, for example, the paragraph bridging columns 1 and 2 of Turunen.

In view of the above, independent claims 1, 9, 17 and 21 are allowable over Huff, Li and Turunen. Withdrawal of the rejection of claims 1, 4-5, 7, 9, 13, 15, 17, 21 and 22 as unpatentable over Huff, Li and Turunen is therefore respectfully requested.

Claims 2, 11 and 18 were rejected under 35 USC 103(a) as being unpatentable over Huff, Li, and Turunen, and further in view of Bhide et al. (Bhide). Claims 3, 12 and 19 were rejected under 35 USC 103(a) as being unpatentable over Huff, Li, and Turunen, and further in view of Jones (US 5,832,221). Claims 6, 8, 14 and 16 were rejected under 35 USC 103(a) as being unpatentable over Huff, Li, and Turunen, and further in view of Turek et al. (Turek) (US 6,460,070). However, none of Bhide, Jones or Turek remedies the deficiencies in Huff, Li and Turunen with respect to re-routing traffic to a mobile agent as discussed above in connection with the independent claims. Accordingly, dependent claims 2, 3, 6, 8, 11, 12, 14, 16, 18 and 19 are allowable over the cited art for at least the reasons discussed in connection with the independent claims. Withdrawal of the rejection of claims 2, 3, 6, 8, 11, 12, 14, 16, 18 and 19 is therefore respectfully requested.

In light of the above, Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4323 to discuss any matter concerning this application. The Office is authorized to charge any fees under 37 C.F.R. 1.16 or 1.17 related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

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